

1 JOHN D. PERNICK, SBN 155468  
jpernick@be-law.com  
2 BERGESON, LLP  
111 North Market Street, Suite 600  
3 San Jose, CA 95113  
Telephone: (408) 291-6200  
4 Facsimile: (408) 297-6000

5 Attorneys for Defendant  
6 GRAPH FOUNDATION, INC.

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 NEO4J, INC., a Delaware corporation, and  
12 NEO4J SWEDEN AB, a Swedish corporation

13 Plaintiffs,

14 vs.

15 GRAPH FOUNDATION, INC., an Ohio  
corporation, GRAPHGRID, INC., and  
16 ATOMRAIN, INC., a Nevada corporation

17 Defendants.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 5:19-CV-06226-EJD

**STIPULATION SETTING FILING AND  
BRIEFING SCHEDULE FOR MOTIONS IN  
RESPONSE TO FIRST AMENDED  
COMPLAINT ~~[PROPOSED]~~ ORDER**

1 Plaintiffs Neo4J, Inc. and Neo4J Sweden AB (“Plaintiffs”), and Defendants Graph  
2 Foundation, Inc. (“GFI”), GraphGrid, Inc. (“GraphGrid”) and AtomRain, Inc. (“AtomRain” and  
3 with GFI and GraphGrid, “Defendants”), by and through their counsel of record (Plaintiffs and  
4 Defendants, collectively, the “Parties”), HEREBY STIPULATE AS FOLLOWS:

5 WHEREAS, Plaintiffs filed their First Amended Complaint on July 16, 2020.

6 WHEREAS, the deadline for GFI’s response to the First Amended Complaint is currently  
7 August 13, the deadline for GraphGrid’s response to the First Amended Complaint is August 20  
8 and the deadline for AtomRain’s response to the First Amended Complaint is August 21, 2020.

9 WHEREAS, Defendants anticipate filing motions to dismiss and or motions to strike in  
10 response to the First Amended Complaint.

11 WHEREAS, Defendant GFI has reserved October 29, 2020 with the Court as the hearing  
12 date for its motion to dismiss and/or motion to strike.

13 WHEREAS, in the interest of addressing the issues raised by Defendants’ motions  
14 efficiently and in the interest of judicial economy, the Parties have agreed that all of Defendants’  
15 motions should be filed and briefed on the same schedule and heard by the Court at the same  
16 hearing.

17 IT IS HEREBY STIPULATED THAT:

18 1. The deadline for Defendants to respond to the First Amended Complaint is August  
19 21, 2020.

20 2. For any motion to dismiss or motion to strike filed by a Defendant in response to  
21 the First Amended Complaint, Plaintiffs’ opposition to that motion or motions shall be filed on or  
22 before September 21, 2020.

23 3. For any motion to dismiss or motion to strike filed by a Defendant in response to  
24 the First Amended Complaint, the Defendant’s reply with respect to that motion shall be filed on  
25 or before October 6, 2020.

26 4. The hearing on any motions to dismiss or motions to strike filed in response to the  
27 First Amended Complaint shall be held on October 29, 2020 at 9:00 a.m.

1 Dated: August 12, 2020

BERGESON, LLP

2  
3 By: /s/ John D. Pernick  
John D. Pernick  
Attorneys for Defendant  
4 GRAPH FOUNDATION, INC.

5  
6 Dated: August 12, 2020

HOPKINS & CARLEY

7 By: /s/ Jeffrey M. Ratinoff  
John V. Picone III  
Jeffrey M. Ratinoff  
Attorneys for Plaintiffs  
8 NEO4J, INC. and NEO4J SWEDEN AB  
9

10 Dated: August 12, 2020

SKAGGS FAUCETTE LLP

11  
12 By: /s/ Jeffrey E. Faucette  
Jeffrey E. Faucette  
Attorneys for Defendants  
13 GRAPHGRID, INC. and ATOMRAIN INC.  
14

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16  
17 DATED: August 12, 2020

  
United States District Judge

18  
19 **ATTESTATION**

20 I, John D. Pernick, am the ECF User whose identification and password are being used to  
21 file this **STIPULATION EXTENDING TIME FOR PLAINTIFF TO MOVE TO STRIKE**  
22 **AND [PROPOSED] ORDER.** In compliance with Civil Local Rule 5-1(i)(3), I attest that all  
23 other signatories have concurred in this filing.

24 Dated: August 12, 2020

By: /s/ John D. Pernick  
John D. Pernick  
25  
26  
27  
28